

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2018-272-C**

Application of )  
 )  
**Crown Castle Fiber LLC** )  
 )  
for a Certificate of Public Convenience )  
and Necessity to Provide Resold and )  
Facilities-Based Local Exchange and )  
Interexchange (Including Exchange )  
Access) Telecommunications Services in )  
the State of South Carolina and for )  
Alternative and Flexible Regulation )  
 )  
and )  
 )  
for Approval of *Pro Forma* Consolidation )  
of Crown Castle NG East LLC into )  
Crown Castle Fiber LLC )

**DIRECT TESTIMONY OF DAVID L.  
MAYER ON BEHALF OF CROWN  
CASTLE FIBER LLC AND CROWN  
CASTLE NG EAST LLC**

**Q. PLEASE STATE YOUR NAME, TITLE, BUSINESS ADDRESS AND  
TELEPHONE NUMBER FOR THE RECORD.**

**A.** My name is David L. Mayer. I am Fiber Solutions General Counsel of Crown Castle  
Fiber LLC (“Crown Fiber”). My business address is 80 Central Street, Boxborough,  
Massachusetts 01719. I can be reached by telephone at (401) 965-3006.

**Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND  
PROFESSIONAL EXPERIENCE.**

**A.** I have a Bachelor of Arts degree from Yale University and a Juris Doctor from the  
University of Texas. I have worked in the telecommunications industry for 25 years.  
Prior to joining Crown Fiber (then known as Lightower Fiber Networks II, LLC), I  
served as the Executive Vice President of Corporate Development for One  
Communications. From 1999 through 2006, I was General Counsel and Executive Vice  
President of Business Development for Conversent Communications.

1 **Q. ARE YOU FAMILIAR WITH THE APPLICATION THAT CROWN FIBER AND**  
2 **CCNG SUBMITTED TO THIS COMMISSION?**

3 **A.** Yes. I would like to incorporate that Application and Exhibits into this Testimony by  
4 reference.

5 **Q. DOES ANY INFORMATION IN THE APPLICATION NEED TO BE UPDATED**  
6 **OR REVISED?**

7 **A.** Since filing the Application, Crown Fiber has obtained authority to provide intrastate  
8 telecommunications services in Missouri effective August 23, 2018.

9 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?**

10 **A.** The purpose of my testimony is to present evidence in support of Crown Fiber's  
11 application for a Certificate to provide the resold and facilities-based local exchange,  
12 interexchange and exchange access services that Crown Fiber proposes to offer in South  
13 Carolina and to review issues related to its request for a certificate to provide such  
14 services. Additionally, my testimony seeks to support the planned *pro forma*  
15 consolidation (the "*Pro Forma* Consolidation") of Crown Castle NG East LLC ("CCNG-  
16 East") with Crown Fiber in connection with a series of intra-company transactions that  
17 will simplify the corporate structure of Applicants' parent company, Crown Castle  
18 International Corp. ("CCIC") by demonstrating that the transaction will be virtually  
19 seamless to customers and that approval of the Application is in the public interest. My  
20 testimony explains Crown Fiber's managerial, financial, and technical competence to  
21 provide the telecommunications services for which authority is requested, and its  
22 compliance with the rules and policies of this Commission, and why granting this  
23 Application would be in the public interest.

1 **Q. PLEASE DESCRIBE THE CORPORATE STRUCTURE OF CROWN FIBER.**

2 **A.** Applicant's legal name is Crown Castle Fiber LLC. Crown Fiber is a New York limited  
3 liability company formed on December 24, 2001. A copy of its formation documents  
4 was provided with the Application as Exhibit A. Crown Fiber is an indirect, wholly  
5 owned subsidiary of CCIC, a Delaware limited liability company. Crown Fiber's current  
6 and post-Pro Forma Consolidation ownership structure is provided with the Application  
7 as Exhibit F.

8 **Q. IS CROWN FIBER LEGALLY AUTHORIZED TO DO BUSINESS IN SOUTH**  
9 **CAROLINA?**

10 **A.** Yes. Crown Fiber is authorized to transact business in the State of South Carolina. A  
11 copy of Crown Fiber's Certificate of Authority to Transact Business in the State of South  
12 Carolina was provided to the Commission with the Application as Exhibit B.

13 **Q. PLEASE DESCRIBE THE AUTHORITY THAT CROWN FIBER SEEKS FROM**  
14 **THE COMMISSION.**

15 **A.** Crown Fiber seeks to offer resold and facilities-based non-switched local exchange,  
16 exchange access and interexchange telecommunications services in the State of South  
17 Carolina. Crown Fiber does not presently intend to offer voice services. Crown Fiber  
18 requests flexible regulation for its local exchange telecommunications services in  
19 accordance with procedures first authorized in Order No. 98-165 in Docket No. 97-267-  
20 C. Crown Fiber also requests that the Commission regulate its interexchange service  
21 offerings in accordance with the principles and procedures established for alternative  
22 regulation in Commission Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C, as  
23 modified by Commission Order No. 2001-997 in Docket No. 2000-407-C.

1 **Q. HAS CROWN FIBER BEEN AUTHORIZED TO PROVIDE SUCH SERVICE IN**  
2 **ANY OTHER JURISDICTIONS?**

3 **A.** Yes. Crown Fiber is currently authorized to provide intrastate telecommunications  
4 service in Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Maine,  
5 Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North  
6 Carolina, Pennsylvania, Rhode Island, Texas, Vermont, and Virginia, as well as by the  
7 Federal Communications Commission to provide interstate and international  
8 telecommunications services. Crown Fiber is seeking authorization to provide intrastate  
9 telecommunications services in Alabama, Arizona, Arkansas, Colorado, Idaho, Iowa,  
10 Kansas, Michigan, Minnesota, Mississippi, Montana, Nevada, New Mexico, North  
11 Dakota, South Carolina, South Dakota, Utah, Washington, and West Virginia. Crown  
12 Fiber has not been denied authority to provide telecommunications services in any state,  
13 nor has any state revoked the authority of Crown Fiber to operate therein.

14 **Q. PLEASE ADDRESS CROWN FIBER'S MANAGERIAL AND TECHNICAL**  
15 **QUALIFICATIONS.**

16 **A.** Crown Fiber is technically and managerially qualified to provide competitive intraLATA  
17 telecommunications services in South Carolina. Crown Fiber's operations will be  
18 directed by its existing corporate management, technical, and operations staffs who are  
19 responsible for the telecommunications operations of Crown Fiber and its affiliates,  
20 including CCNG-East. Descriptions of key personnel of Crown Fiber was provided as  
21 Exhibit E to the Application. Crown Fiber's highly-qualified technical staff will work to  
22 ensure that its operations will meet high standards for service quality and reliability.

23 **Q. PLEASE DESCRIBE CROWN FIBER'S FINANCIAL QUALIFICATIONS.**

24 **A.** Crown Fiber possesses the requisite financial resources to provide telecommunications  
25 services in South Carolina. Crown Fiber does not maintain audited financial statements

1 separate from the consolidated financial statements of its ultimate parent company,  
2 CCIC. For purposes of this Application, Crown Fiber will rely on the financial  
3 statements of CCIC to demonstrate Crown Fiber's financial qualification to operate  
4 within South Carolina. In support of Crown Fiber's financial qualification, financial  
5 information was provided with the Application as Exhibit D.

6 **Q. PLEASE DESCRIBE THE TYPES OF SERVICES THAT CROWN FIBER WILL**  
7 **OFFER IN SOUTH CAROLINA.**

8 **A.** Crown Fiber will primarily provide Private Line, including Ethernet and Wavelength,  
9 services to wholesale (e.g., other carriers) customers, and government, health care,  
10 education, financial services, and other enterprise customers. Applicant may also provide  
11 Dark Fiber, Dedicated Internet Access and Collocation services to these classes of  
12 customers should the market warrant such services. To maintain flexibility, however,  
13 Crown Fiber seeks authority to provide all forms of facilities-based and resold local  
14 exchange, exchange access, and interexchange telecommunications services.

15 **Q. WHAT FACILITIES WILL CROWN FIBER USE TO PROVIDE ITS PROPOSED**  
16 **LOCAL EXCHANGE SERVICES?**

17 **A.** Crown Fiber will primarily provide services using its own facilities and facilities leased  
18 from other carriers, but also seeks authority to provide service for resale.

19 **Q. HAS YOUR COMPANY BEGUN INTERCONNECTION NEGOTIATIONS**  
20 **WITH INCUMBENT LECS IN SOUTH CAROLINA?**

21 **A.** At this time, applicant has not begun negotiations with ILECs in South Carolina for  
22 interconnection agreement(s) because the services Crown Fiber intends to provide  
23 generally do not require an interconnection agreement. To the extent that Crown Fiber's  
24 services in the future require such agreements, or other agreements, Crown Fiber will  
25 negotiate with the ILECs in due course.

1   **Q.    WHAT GEOGRAPHIC AREAS WILL APPLICANT SERVE?**

2   **A.**    Applicant will offer interexchange telecommunications statewide. Applicant will initially  
3           provide intraLATA telecommunications services in the areas served by AT&T and does  
4           not plan to provide service in areas of any rural local exchange carriers. However,  
5           applicant does seek authority to provide telecommunications services in all areas that are  
6           currently open, or become open in the future, to competition so that it may expand into  
7           other services as market conditions warrant. Applicant intends to mirror the existing  
8           local exchange boundaries of the incumbent local exchange carriers in South Carolina.

9   **Q.    WILL CROWN FIBER OFFER SERVICE TO ALL CONSUMERS WITHIN ITS**  
10 **SERVICE AREA?**

11 **A.**    Crown Fiber's markets its services to wholesale (e.g., other carriers) and government,  
12           health care, education, financial services, and other enterprise customers. Crown Fiber  
13           does not provide service to residential customers and has no plans to do so.

14 **Q.    WILL CROWN FIBER'S TARIFF CONTAIN ALL OF ITS RATES AND**  
15 **CHARGES AS REQUIRED FOR INTRASTATE TELEPHONE SERVICES?**

16 **A.**    Yes. Crown Fiber's illustrative tariff, setting forth the terms, conditions, rates, charges  
17           and regulations pursuant to which Crown Fiber proposes to provide regulated  
18           telecommunications service was provided as Exhibit C to the Application.

19 **Q.    HOW WILL CROWN FIBER BILL FOR ITS SERVICES?**

20 **A.**    Crown Fiber will issue monthly invoices to its customers and will include the toll-free  
21           customer service number on the customer invoice.

22 **Q.    DOES CROWN FIBER OFFER A DEBIT OR PREPAID CALLING CARD?**

23 **A.**    No, Crown Fiber does not currently offer a debit or prepaid calling card services, and  
24           does not intend to offer such services in South Carolina. Nor does Crown Fiber intend to

1 offer residential local exchange service. As such, Regulation 103-607 does not apply to  
2 Crown Fiber.

3 **Q. DOES CROWN FIBER AGREE TO ABIDE BY ALL RULES, REGULATIONS,**  
4 **POLICIES AND ORDERS OF THIS COMMISSION, AND THE LAWS OF THE**  
5 **STATE OF SOUTH CAROLINA, IN ITS PROVISION OF**  
6 **TELECOMMUNICATIONS SERVICE?**

7 **A.** Yes. Crown Fiber agrees to abide by all rules and regulations that are applicable to its  
8 provision of telecommunications services with the State of South Carolina.

9 **Q. HOW WILL CROWN FIBER MARKET ITS SERVICES?**

10 **A.** Crown Fiber's primary method of marketing will involve the use of a direct sales force.

11 **Q. DOES CROWN FIBER USE TELEMARKETING AS A METHOD FOR**  
12 **SELLING ITS SERVICES?**

13 **A.** Crown Fiber does not currently have plans to use third-party out-bound telemarketing in  
14 South Carolina. Crown Fiber's internal sales team will make outbound calls to  
15 prospective customers. If Crown Fiber decides to use third party out-bound telemarketing  
16 in the future, it will comply with all applicable telemarketing rules.

1   **Q.   HOW ARE CUSTOMER INQUIRIES/DISPUTES HANDLED?**

2   **A.**   Customers with billing questions or complaints may reach Crown Fiber at its toll free  
3       number 888-583-4237. Customers can also contact our customer support telephone  
4       number, 855-91-FIBER, In the event of a billing dispute, Crown Fiber will review the  
5       disputed billing amount and promptly attempt to reach a settlement to the mutual  
6       satisfaction of all parties. Following a full investigation to determine whether or not the  
7       charges may have been improper, Crown Fiber may adjust the disputed bill.

8   **Q.   HOW WILL A CUSTOMER CONTACT CROWN FIBER REGARDING**  
9   **BILLING AND OTHER CUSTOMER SERVICE INQUIRIES?**

10   **A.**   Crown Fiber's Consumer Services Division can be reached at 888-583-4237. Customers  
11       can also contact sales/customer support at 855-91-FIBER and our Network Operations  
12       Center at 855-93-FIBER. Written correspondence also may be directed by mail or by  
13       email to Ravindra Harcharan, Head of Customer Operations – Fiber Solutions, Crown  
14       Castle Fiber LLC, 80 Central Street, Boxborough, MA 01719;  
15       [ravindra.harcharan@crowncastle.com](mailto:ravindra.harcharan@crowncastle.com).

16   **Q.   WHY IS CROWN FIBER SEEKING EXEMPTIONS FROM ANY RULES**  
17   **REQUIRING THAT ITS BOOKS BE KEPT IN CONFORMANCE WITH THE**  
18   **UNIFORM SYSTEM OF ACCOUNTS?**

19   **A.**   The USOA was developed by the Federal Communications Commission as a means of  
20       regulating telecommunications companies subject to rate base regulation. As a  
21       competitive carrier, Crown Fiber will not be subject to rate base regulation and therefore  
22       requests Commission approval for Crown Fiber to maintain its books in accordance with  
23       Generally Accepted Accounting Principles ("GAAP").



1 **Q. WHY ARE YOU SEEKING A WAIVER OF THE REQUIREMENT THAT YOUR**  
2 **BOOKS AND RECORDS BE KEPT IN SOUTH CAROLINA PURSUANT TO 26**  
3 **REGS. 103-610?**

4 **A.** Crown Fiber's business office is located in Massachusetts, and in the absence of such a  
5 waiver, Crown Fiber would have to assume additional expenses to maintain records and  
6 reports in an office in South Carolina. Crown Fiber will maintain the required records at  
7 its principal place of business. All such books and records shall be provided to the  
8 Commission or the Office of Regulatory Staff ("ORS") at the appropriate applicable  
9 office within the State of South Carolina in a timely manner upon request.

10 **Q. HOW WILL APPLICANT GUARD AGAINST SLAMMING?**

11 **A.** Crown Fiber does not intend to provide voice services. In the event Crown Fiber does  
12 provide switched voice services in the future, Crown Fiber will prevent unauthorized  
13 switching of customers by obtaining a signed letter of authorization ("LOA"), or similar  
14 authorization, from all new customers. Crown Fiber will comply with applicable South  
15 Carolina law and Federal Communications Commission ("FCC") regulations regarding  
16 how carriers may change a customer's primary carrier(s).

17 **Q. IS CROWN FIBER SEEKING FLEXIBLE REGULATORY TREATMENT FOR**  
18 **ITS LOCAL EXCHANGE SERVICE OFFERINGS?**

19 **A.** Yes, Crown Fiber respectfully requests that its local service offerings be regulated in  
20 accordance with Order No. 98-165 in Docket No. 97-467-C.

21 **Q. HAS APPLICANT REQUESTED ALTERNATIVE REGULATION OF ITS LONG**  
22 **DISTANCE BUSINESS SERVICE, CONSUMER CARD AND OPERATOR**  
23 **SERVICE OFFERINGS?**

24 **A.** Yes, Crown Fiber requests that all of its business service offerings be regulated pursuant  
25 to the procedures described and set out in Commission Order Nos. 95-1734 and 96-55 in  
26 Docket No. 95-661-C, as modified by Commission Order No. 2001-997 in Docket No.

2000-407-C. It is Crown Fiber's intent by this request to have its business services regulated in the same manner as this Commission has permitted for AT&T South Carolina. Specifically, Crown Fiber requests that the Commission:

- a. remove the maximum rate tariff requirements for its business services, private line, and custom network-type offerings (except as set out in Commission Order No. 2001-997);
- b. presume that the tariff filings for these uncapped services be valid upon filing. However, if the Commission institutes an investigation of a particular filing within seven (7) days, the tariff filing would be suspended until further order of the Commission; and
- c. grant Crown Fiber the same treatment as AT&T in connection with any future relaxation of the Commission's reporting requirements.

**Q. PLEASE DESCRIBE THE PUBLIC INTEREST BENEFITS ASSOCIATED WITH APPLICANT'S PROPOSED OFFERING OF TELECOMMUNICATIONS SERVICES IN SOUTH CAROLINA.**

**A.** The grant of this Application will promote the public interest by increasing competition in the provision of telecommunications services in South Carolina. In addition to driving prices closer to costs, thereby ensuring just and reasonable rates, competition also promotes efficiency in the delivery of services and in the development of new services. These benefits work to maximize the public interest by providing continuing incentives for carriers to reduce costs while simultaneously promoting the availability of potentially desirable services. Crown Fiber's operations will be overseen by a well-qualified management team with substantial telecommunications experience and technical expertise. Crown Fiber will provide customers high quality, cost effective telecommunications services, with an emphasis on customer service.

**Q. PLEASE DESCRIBE THE *PRO FORMA* CONSOLIDATION.**

**A.** The *Pro Forma* Consolidation involves a series of intra-company transactions, including the consolidation of CCNG-East into Crown Fiber with Crown Fiber as the surviving

1 entity. The *Pro Forma* Consolidation is being undertaken, in part, to streamline the  
2 corporate structure and operations of over 20 operating entities of Applicants' ultimate  
3 parent, CCIC, that provide fiber-based services, into a single unified and rebranded  
4 operating entity: Crown Castle Fiber LLC. The series of planned intra-company  
5 transactions will also involve a change in the intermediate corporate holding company  
6 structure between CCIC and Crown Fiber. Diagrams illustrating the organizational  
7 structure of the Applicants before and after the *Pro Forma* Consolidation were provided  
8 in Exhibit F to the Application. Since CCNG-East will be consolidated with Crown Fiber  
9 under the CPCN that Crown Fiber is seeking, Applicants seek that the CPCN for CCNG-  
10 East be cancelled upon notification that the *Pro Forma* Consolidation is complete.

11 **Q. HOW WILL THE *PRO FORMA* CONSOLIDATION AFFECT CUSTOMERS?**

12 A. The *Pro Forma* Consolidation will not result in any changes to the services received by  
13 customers, including rates, terms and conditions of service. In fact, the *Pro Forma*  
14 Consolidation is expected to be seamless to CCNG-East's customers. Additionally, each  
15 of the affected customers of CCNG-East will receive notice of the *Pro Forma*  
16 Consolidation that would result in a change of the entity providing their service. A  
17 sample of the notice that will be sent to customers was provided as Exhibit G to the  
18 Application. The only change for customers will be that invoices following  
19 consummation of the Consolidation will be sent under the Crown Castle Fiber LLC  
20 name.

21 **Q. WHAT ARE THE BENEFITS OF THE CONSOLIDATION?**

22 A. The *Pro Forma* Consolidation will further simplify CCIC's existing corporate structure  
23 and thereby reduce its reporting and accounting burdens and provide other operational

1 efficiencies. As a result of the efficiencies and focus, CCIC and its subsidiaries will  
2 become a stronger competitor to the ultimate benefit of consumers.

3 **Q. WHEN DO APPLICANTS PLAN TO COMPLETE THE *PRO FORMA***  
4 **CONSOLIDATION?**

5  
6 A. Crown Fiber will begin providing service as soon as practicable after grant of this  
7 Application. Applicants plan to complete the *Pro Forma* Consolidation following grant  
8 of Crown Fiber's Certificate.

9 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

10 A. Yes.